Parliament

(2)

A LETTER

from a PERSON of QUALITY to his Friend concerning His Majesties late Declaration touching the Reasons which moved him to dissolve the Two last Parliaments at *Westminster* and *Oxford*.

I Acknowledge your favor, in sending me the Declaration touching the causes and Reasons that moved His Majesty to dissolve the two last Parliaments.

It seems to me as a Fore-runner of another Parliament to be speedily call'd, and the design of the Declaration as a seasonable advice to the People, not to choose the same Persons again, who had been so unfortunate, and unacceptable to His Majesty these two last Parliaments.

It hath been long the advice of some of the Wisest and Ablest of the Popish and Arbitrary Party, that the King should call frequent, short and useless Parliaments, until the Gentry, weary of the great expence, of so many fruitless journeys and Elections, should sit at home, and trouble themselves no more, and leave the People expos'd to the practices of them and their Party; who if they carry one House of Commons for their turn, will in few Months do the Nation's business for ever; and make us slaves and Papists by a Law: In the mean while there is no danger to their Affairs in frequent calling Parliaments; since the Crown can with so much ease and security dissolve, and throw them off.

It is our great unhappiness that the King should have such wicked Councellors, Favorites, and influences about so gracious a Prince; who with so exceeding great trouble was brought to the dissolving the two last Parliaments; since he of himself intended more benefit to his People by them: And 'tis not readily to be apprehended what Arguments they could use to so Wise a Prince to perswade him that he had done his part, and that the success not answering Expectation, could not be imputed to him, he having given so many opportunities of providing for their good: We cannot but in reason expect, that the best they can say for their advice, is what they have publish't in this Declaration, which by the new style of *His Majesty in Council* is ordered to be read in all Churches and Chappels throughout *England*; which no doubt the Blind obedience of our Clergy will see carefully performed. Yet if it be true that there is neither Great Seal, Privy Seal, nor order of Council or any thing else but Mr. *Gwyn*'s (a Clerk of the Councils) hand to authorize the publishing this Paper, call'd His Majesties Declaration in such a case our officious Clergy-men will prove publishers of false news, and invectives against a third Estate of the Kingdom; and will be lyable to be questioned for it.

The Government of *England* is so excellently constituted, that the King can do no wrong: The King in Parliament can make no ill Laws, because they are with the consent and advice of his People; in Council. He can make no ill Orders because they must be by advice of his Council, and they must be answerable for them. The King in the Treasury can dispose of no Money but wisely, for the Interest of the Government; and according to such proportions as is every way requisite: If otherwise the Lord Treasurer, a Secretary of State, a Lord Privy Seal, and in great

caſes a Lord Chancellor are anſwerable; becauſe no ſumm never ſo ſmall can be iſſued without them. In the Admiralty the King can do nothing but for the honor and ſafety of the Nation; becauſe he acts always with the advice and by the hand of a Lord Admiral or Commiſſioners, of the Admiralty, who are reſponſible if any thing be amiſs. But the King in Council without the advice of the Council, is a phraſe the Law underſtands not, and is againſt the ſafety of the Government, and the honor of the King. This Declaration is *primæ impreſſionis*, the firſt of the kind I ever read of: A Prince appealing to the People againſt their own Repreſentatives; not againſt ſome men in the Houſe of Commons but the Houſe it ſelf; and that of two Parliaments ſucceſſively.

It is eaſily agreed by all that there never was more occaſions of a Parliament, then was at the opening of the laſt which was held at *Weſtminſter*, never had People juſter fears nor of weightier Conſiderations to be ſecured againſt, never were our Liberties and Properties more in danger; nor the Proteſtant Religion more expoſed to an utter extirpation both at home and abroad. Beſides the increaſing power of the *French* Monarchy; giving terror to the trade and being of all his Neighbors. And the Declaration ſaith that His Majeſty had intentions to have complyed with any thing that could have been propoſed to prevent theſe Evils; If ſo, the Miniſters or Houſe of Commons; muſt be one of them exceedingly to blame.

The Miniſters in this Declaration tell us that they asked of that Parliament, the ſupporting the Alliances they had made for the Preſervation of the General Peace in Chriſtendom, and had deſired their advice and aſſiſtance for the Preſervation of *Tangier*, as alſo they recommended to them the farther Examination of the Plot: And that His Majeſty had offer'd to concur in any Remedies for the ſecurity of the Proteſtant Religion, that might conſiſt with the preſerving the Succeſſion of the Crown in its due and legal courſe of deſcent: But to all this they met with moſt unſuitable returns.

But the Miniſters very well knew, that their demands of Money for ſupporting the Alliances, and Preſervation of *Tangier*, was not to be complyed with, till His Majeſty was pleaſed to change the Hands and Councils, by which his Affairs were Adminiſtred: Or elſe we had much more reaſon to expect that the Aſſiſtance or ſupport we ſhould give, ſhould not be imploy'd to either of thoſe Affairs: But rather to the deſtruction even of His Majeſties Perſon, together with the Proteſtant Religion, and the enſlaving of the whole Nation: The Duke of *York*, the Queen, and the two *French* Dutcheſs's are the great ſupport, and Protectors of the Popiſh Intereſt in theſe Kingdoms; whilſt they and their Creatures are at helme, what can we expect for the ſecurity of the Proteſtant Religion; or oppoſition to the ambitious deſigns of *France*: Hath *England* by their means contributed ſo much to the growing greatneſs of that Monarchy, and can we or our Allies truſt the ſame hands with our Money and Force? You will tell me they may be appropriated to theſe particular ends of ſupporting our Allies and the relief of *Tangier*: And it may be ſo limited by Act of Parliament, that it cannot be diverted to other uſes. To this Monſieur *Sully* the great Treaſuror of *France* made the beſt anſwer on the like occaſion, when he told his Maſter *Henry* the *4th*. Sir, Let the States raiſe the Money, put it into what hands, and under what limitations they pleaſe, when they are diſſolved and not in being, you that are the only power exiſting, ſhall diſpoſe of the Money as you think fit. And the late experience of our own will tell us, that thoſe Acts may *Peradventure* be good ſecurity to thoſe that have advanced Money upon

them

them, but never to the publick ends for which that Money was designed: Besides if we allow that those Persons, and their Creatures have those designs and Interests we justly charge upon them; such a considerable summ of Money as those occasions would require, we'le set them free from any Obligation or apprehension to be accomptable to a future *Parliament*: For it is a certain Maxim in State Affairs, that that *Prince* hath a good and cheap Bargain that gives *Paper* Laws in exchange for Money and *Power*; for it was never known that Laws signified any thing to a *People* that had not the sole guard of their own *Prince*, Government and Laws.

As for the farther Examination of the horrid *Popish Plot*; there is nothing in nature or Story so ridiculous as the management the Ministers have shew'd in that. Both Houses of *Parliament* did at first, and unanimously declare their satisfaction in the clear Evidence of it; as they had great reason, had they had no other testimony but *Colemans*, and my Lord *Berk-shires* Letters, which never were nor could be denyed; both Houses declare the Kings Life to be in danger, our Religion, Laws, and Government, all endeavors to be utterly overthrown and abolished by it. *Monsieur Le Cheese* the *French* Kings Confessor the principal director of it; yet our Ministers have wrought so far on the good nature of the King that he believes nothing of his own danger; apprehends the *Plot* to be at least extreamly improved if not wholly contrived by the *Presbyterian*; think's it much more his concern, to have an end of all, then to have it searched to the bottom; this was certainly the true reason the Ministers had, for dissolving four *Parliaments* successively during the Examination of this *Plot*; exposing the Person of the King and the Nation to the greatest hazard, so that we may say they are by Miracle preserved; we are like a Brand snatch'd out of the Fire by Gods own hand; nay so great power have they had with his Majesty, that *Dangerfield* was brought to him several times alone and in private; at the same time he owns to have been employ'd by the Lords in the *Tower* to Murther the Earl of *Shaftesbury*; and was tempted to have done the same to the King: He gives the King a *Paper* to accuse several Lords and others, and indeed the whole *Protestant* party of a Treasonable Conspiracy; many of those accused being in the Council and greatest employments of the State, yet His Majesty kept the *Paper*, and gave so much countenance to it as to reward *Dangerfield* with Eight *Pounds* a Week; the *Paper* whoever considers it, speaks it self to be the *Embryo* of a Sham-*Plot*, not a real discovery; and what makes all worse; since *Dangerfield* is become truly honest, he can hardly get the allowance of Forty Shillings a week, and his pardon was with great difficulty obtain'd of His Majesty to pass so as might be effectual to him; it would make a Volume to tell you the several meetings and discourses that vile Rascal young *Tonge* had with His Majesty, to prove there was no *Popish* but a *Presbyterian Plot*, the King in Council declaring Captain *Ely* for a very honest Man; for so he had been represented to him; though he is well known to be of the vilest and most infamous of men. A Master of Requests sent to *Lewis* and *Zeal* Prisoners in the Marshalsea, to take their Examinations to the same purpose against the Earl of *Shaftesbury*: *Fitz-Gerald* an *Irish* Witness goes off from his Testimony, declares he has Money from the King, several Hundred pounds, endeavors to draw off the other Witnesses, and prevails on divers for whom he procures Money and sends them back to *Ireland*; endeavors to procure false Witnesses against the Lives of the Nobility and others: This Infamous Rascal having been a known Footman to several Masters, not well in his Wits, detected of several Villanies, is seen publickly talking with His Majesty; so extreamly

wrong are representations made to him by those that are near and great about him. Mr. *Ray* than whom a more Notorious and known Villain lives not, appears in the Town in new Cloaths, and has declar'd to several what his court employment is. Thus you see the Ministers have done their part on this head, and have given several but so short opportunities, that it was impossible to make out the Popish Plot any farther than it already is; they have been unfortunate only in this, that so many honest and well laid designs have failed, whereby they assured themselves before this to have made it a plain Presbyterian Plot, and the Papists to be owned, the Kings best Friends.

But this Declaration tells us the Protestant Religion shall be preserved, if it may consist with the due Succession of the Crown; that is the Duke of *York* must not be excluded; come what will of Religion or the Nation: But if no Bill pass will not the Laws of Nature and Nations deliver a Protestant Kingdom from a Popish King; *Arnisæus* and *Barclay* the two greatest Champions of absolute Monarchy, yet allow two cases wherein Subjects may help themselves; alienation to a stranger, and *Sevitia*, or Barbarous Cruelties; both which must meet in a Popish Prince; he alienates one half of his Regal power to the Pope, the mortal Enemy of both us and our Estates; and for cruelty nothing can exceed what we are sure to find from the best of them.

But the Religion established must be preserved, and the Monarchy not destroyed; that is easily done, give us a Protestant Successor; and it is worth the Observation that the expedient from court the last Parliament at *Oxford*, directly destroyed the Monarchy and secured not the Religion; it only shewed that the Ministers had so great power over the mind of the King, as to perswade him that in Honor, Justice, and Conscience he must never consent to take from his Brother the Name and Right of being King; but he might Banish him during life, make it death for our Sovereign Lord to set foot on any part of his own Dominions, take away all his Power and Revenue; by which they plainly confess 'tis not right, or the Monarchy they make conscience of; or else they well know, allow the Title and the right and your expedients will be void of themselves. This were the way indeed to establish another most unnatural War of expediency against an avowed right and title; and a standing force we may be assured would be continued and increas'd, to maintain the right: But on the other hand, exclude the Duke and all Popish Successors, and put down all those Guards are now so illegally kept up, and Banish the Papists, where can be the danger of a War in a Nation unanimous?

But if the King could have been brought to give his consent to a Bill of exclusion, 'tis said, the intent was not to rest there, but to go further, and to attempt some other great and important changes even in present; nothing more certain, or more reasonable; If the King should pass the Bill of exclusion against the Duke, certainly he must put his known Creatures out of Offices both Military, and Civil; he would at least Banish the Papists absolutely the Court, and in great measure *England*; or else it were indeed to nurse up a War in our own Bowels; and the Bill of Exclusion would prove but a *Flanders* or a *Scotch* Journey for him to come back with more Fury; when the Bounty of the grateful subject to their Prince, shall have enabled them to secure his return; the delivering us from a Popish Successor is a great mercy; but 'tis a greater as 'tis an earnest to us that the King has changed his Councils, and that the Popish Party have no more influence on them; the Duke of *York* is certainly more dangerous to us as he is the great Minister of

State, then as he is Succeſſor: His Brothers Religion and excellent qualities gives him more opportunities to ruine us and our Religion, whilſt he impoſeth on his Brother; then if he were Bareſaced to act the game himſelf.

Thus you have a ſhort view of the demands and offers the Declaration mentions; the next you are to conſider is what the returns were the Houſe of Commons made ſo unſuitable to them.

The Addreſſes ſaid to be in nature of remonſtrances; he that reads that of the 21th. of *December* 1680. will find it as full of duty, and true affection to His Majeſty as is poſſible to be expreſſed; the nature and true State of the Affairs, would not bare a milder way of repreſenting it truly to His Majeſty in a caſe of that vaſt importance both to him and his People; many wiſe and good men thought they had ventured too far in mentioning, and aſſuring Money before our ſafety was fully provided for, for a Houſe conſiſting of 500 Perſons, are not capable of treating as private and ſingle perſons are; Jealouſies eaſily ariſe amongſt numbers, and 'tis difficult to aſſign who ſhall act the eaſie, and who the diſobliging part if an agreement be in view.

As for Arbitrary Orders for taking Men into Cuſtody for Matters, that had no relation to priviledge of Parliament, the Houſe of Commons have this to ſay for themſelves, that they have erred with their Fathers; the power of that Houſe concerning taking Men into Cuſtody has not yet received an exact adjuſtment; and there wants not Preſidents of like nature in many former Parliaments; beſides this concerned the rights of the people in ſuppreſſing their petitions to the fountain of Juſtice, for the Aſſembling that Court wherein it could only be adminiſtred, as to thoſe caſes the extream danger of his Perſon, and the Government then lay under; and to aſſemble that Council he and his People could only ſafely confide in; and to the demand of which to ſit annually and effectually they had ſo good a title by Law; I ſhould not have expected this head to have been made part of the Declaration, if they had remembred what an illegal Proclamation was publiſhed on this occaſion that gave the riſe of all.

The Strange illegal Votes; declaring divers eminent Perſons to be Enemies to the King and Kingdom, are not ſo ſtrange but very juſtifiable, if well conſider'd The Houſe of Commons had before Addreſſed for their removal from about the King; he was pleaſed to take no notice of their Addreſſes; and indeed it began to be an obſervation, that an Addreſs from the Commons againſt any man, was a certain fore-runner of his Advancement; it had proved thrice ſo to the Duke of *Lauderdale*; and on the other hand their Addreſſes on the behalf of any, had never had but contrary effects; yet I think one may affirm by Law the King ought to have no Perſon near him, that hath the misfortune of ſuch a Vote. If the Houſe of Commons declare they have juſt reaſons to fear ſuch a Perſon puts the King on Arbitrary Councils, or betrays his and the Nations intereſt; muſt there be order and proceſs of Law, and proofs againſt them before he be removed; this is reaſonable in caſe you would fine him, deprive him of Life, Liberty, Lands, or Offices beneficial, and wherein the publick State Affairs are not immediatly concern'd; but to remove him from the Perſon of the King or the management of Affaires of State; certainly the opinion and advice of the nation is enough, or elſe you muſt allow him time to act his villany, and the Nation run the hazard; beſides is it poſſible the King can expect ſupplies of Men, Money, Hearts, and all which is due to the Father of the People, if he manage his Affairs, by ſuch perſons as they

think they have reaſon to fear and hate; there are ſome things ſo reaſonable that they are above any written Law, and will in deſpight of any power on earth have their effect; whereof this is one. Beſides the King is a publick perſon, in his private capacity as a Man, he can only eat, and drink, and perform ſome other Acts of nature; but all his actings without himſelf are only as a King, and in his Politick capacity he ought not to Marry, Love, Hate, make War Friendſhip or Peace, but as a King and agreeable to the People, and their Intereſt he governs. The wiſeſt and greateſt of our Princes have always hearkned to the Addreſſes of their People and have removed ſometimes a great many Perſons at once in purſuance of them.

Beſides theſe proceedings there are three Votes of the laſt *Weſtminſter* Parliament, complained of in this Declaration.

Thoſe two concerning lending or advancing Money on the cuſtoms, exciſe or hearth Money, and buying Tallies of Anticipation are certainly very wiſe and juſtifiable Votes, 'tis but a new Phraſe; *the King will live upon his own*; as if he had like the elective Kings of *Poland* a private revenue of his Family; where as 'tis all the publick revenue. He is truſted with the diſpoſition of part only, and that too with the advice of certain great Officers; a Secretary of State and Lord Privy Seal to the ſmalleſt ſumm, to all great payments the Lord Chancellor is added; the other part of the revenue is aſſigned to uſes; as the cuſtomes to the maintenance of the Navy: The maintenance of the Houſhold, the Tables at Court, and wages of the Kings Servants, were in our former Kings Reigns by Acts of Parliament ſo eſtabliſhed, that the cofferer had his Money paid to him out of the Exchequor under very heavy *nomine pana's*; and the Parliament, eſpecially the Lords Houſe took it always as part of their immediate care; it maintained the dignity and honor of the Government, it contributed exceedingly to love and good underſtanding betwixt the King and his People; no Country Farmer had buſineſs at Court, but he found thoſe bid him welcome, ſo had all degrees; therefore the Kings Servants had juſtly the ſame return wherever they came; the Language of the Court was not then; *who goes there*, nor their outward Rooms were not to be diſcerned by the ſmell of match but of Beef: Beſides 'tis well known through the Nation that the Bankers (the only traders in that way) are the bane of the Gentry and Farmer, if not of the Merchant too, they keep up the Intereſt of Money draine the Country, buy up warrants, ſo as the King pays twenty, and five and twenty *per cent*, for all his expences; the revenue is in many Branches particularly provided ſhall not be alienated; if the Bankers may anticipate it for ſeveral years by their uſurious loanes, who muſt provide for the Nation? muſt not the Parliament ſupply the King; and if there be another way of ſupplying the Kings wants but by Parliament, the great hinge of the Government is loſt; therefore I do not know a thing more truly criminal and pernicious then what theſe two Votes provide againſt.

The Vote concerning the Proteſtant diſſenters; was not made as an aſſuming to themſelves a Power of ſuſpending Acts of Parliament; neither are the Judges or Miniſters of Juſtice expected to forbear their duties if His Majeſty ſhall require the Execution of thoſe Laws; but 'tis the delivering the advice and the opinion of that Houſe in a matter of ſo great concern in this juncture; and certainly it was a wiſe and pious Councel, which though it could neither command nor ſecure the Juſtices and Judges from doing their Duties if required; yet we may juſtly expect, that

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those that manage the Councils should hearken in so plain a case to the voice of the Nation or give the following Parliaments a measure how to confide in them; and the Judges and Justices if they receive no fresh command from above are indiscretion and conscience, as much obliged to omit the Execution of these Laws as they are, that, of Bows and Arrows, and several other statutes yet in full force but out of use: I have ever thought so well of the Kings temper and goodness to all his People, that I should have thought this a desireable handle for his clemency to have laid hold on; my Lords the Bishops cannot find this proceeding so severely against dissenting Brethren, to be justified by the practice of the Primitive Church, nothing so common as different Rites, Ceremonies, nay Doctrines amongst them, and yet the Band of Charity and love maintained; never until Power and Wealth befel Religion, and the Prince and Church made use of each other to enslave the world, did Christianity learn to persecute; a setled national well endowed Church is a beauty and a bulwark to Religion, if it be not made a *Procrustes* bed, to destroy all that either come short or go beyond in any opinions; they have the advantage in honor, Education and Wealth if they have the piety and prudence to employ that to the protection of Religion, and the charity to bear with weaker Brethren; they will certainly have the most powerful influence on Mens minds, and make such an unity as to be themselves the center and relyance of the whole Protestant Party.

But this last Vote had certainly no part in the putting off that Parliament, for the King was in his Chair of State, in his Robes before the House of Commons passed the Vote: The reasons for dissolving the last *Oxford* Parliament are of the same weight.

The business of *Fitz-Harris*, and the transported Votes of the House of Commons without any conference had; how shall the House of Commons come to conference before they are come to a resolution or determinate opinion amongst themselves? How shall they do that without a Vote? Assemblies cannot think as individual Persons can, they have no mind but their Vote; the King provided well for the Lords, whose Vote could not have born a conference, and less could not have been expected, since he himself was seen in the Lords House to inform them Man by Man in the point; did ever a Court of Justice refuse to retain what they had cognizance of? Until they had heard the nature of the case opened to them; and this charge brought up by the Commons was only general; if the House of Commons had to say, they impeached this Man before the Lords, not daring to trust a lower Court or leave the Prosecution to others, because the case concerned those nearest about the King, and of most power with him; his Favorite Brother and Royal Consort were peradventure accused; put the case the two *French* Dutchesses, and honest *Barillon* had managed an intrigue to make this a Presbyterian Plot, and to prove it by cutting of the Heads of several of the most eminent Members of both Houses by Subornation and Perjury; a proceeding not unusual to some Courts; all the mischief poysonings and villanies in all the *European* Governments being chiefly owing to the most Christian Politicks: If *Fitz-Harris* were able to discover the bottom of the Horrid Popish Plot and all this to boot, was this to be turned off to *Westminster-hall*? Besides the nature of his offence and condition was not such as should enforce a speedy Execution; nor could the Houses be possibly thought to design a delay of Tryal in favor to him; no Man can say but 'tis probable enough he mought discover that mought deserve his Pardon for more than he or any other

Man

Man could offend in writing, but of this whatever either House had done the World was judg of, their reasons could not be in private, and the King was still Master of his own grace and pardon.

But that makes amends for all is the Kings resolution to have frequent Parliaments, without which he cannot govern according to the Laws of the Kingdom, which he is sworn to at his Coronation, and which his Subjects challenge of him as often as we take the Oath of Allegiance; but Parliaments are like terms, if they be ten in one year, and so short as to hear no Causes, they do no good; the Nation hath a right to annual Parliaments to dispatch the Affairs necessary and proper only for them; the Kings Prerogative at what time of the year and place, they should be called, and how long they should last, is but subservient (if I may use a plain Phrase) to the great end and design of the Government, and must be accommodated to it; or we are either denied or deluded of that protection or justice we are born to.

I have nothing to say on the behalf of those Angry Men, whose particular designs for their own ambitions and greatness are disappointed; only whoever knows those turned out and those now in; must needs think the first mought have kept their places if they had pleased; the only difference I can find is, that those could have ruined us and would not, these cannot if they would.

The fondness of old beloved Common-wealth Principles is not to be imputed to either House of Parliament or indeed to the Nation; there never was a People more desirous of their old Government and Laws, or that have shewed more duty or respect to their Prince; the Court expedient mongers were indeed setling a Republick, and I fear the change of our Government from none but the *Papists*; absolute Monarchy or a levelling Democracy will either serve their turn; the most Democratical Cantons of the Swiss are Zealous *Papists*, those Governments are both Tyrannical, and the *Priest* hates only truth and liberty, the Bloody Luxurious Tyrant, and the unlearned mean Clown both readily obey his dictates; whilst the wealthy Free-man thinks for himself, and will not venture his *Soul* nor his Money against common sense.

The Declaration concludes with this good news, that the King is resolved in all things to govern according to the Laws of the Kingdom. I should almost for joy set my hand to the late Romantick address of the *London* Tories but that I remember we have had many of these promises before, and they have been all either broke or kept; if this be of the latter sort, we shall see annual *Parliaments* sit until the necessary business be dispatch'd; we shall have the reverend *Prelates*, Lords Temporal, and Court Members, left free to Vote and advise as they shall in their own reasons, and Judgments think best, and not commanded before hand how to Vote or turned out of their places if they do other; His Majesty shall not command the Clerks of the *Parliament* to lay aside Bills past both Houses, and never tender them for the Royal assent, as the Bill of repeal of the 35. of *Elizabeth* was last *Westminster Parliament*, the King shall then be advised by his *Parliament*, and not his *Parliament* commanded what to advise what not: We shall have no more Declarations against his *Parliament*, read in Churches without lawful Authority, for the publishing or color of reason for the complaint; but we shall all be happy and the King be himself.

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